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Senators question CIA's covert actions

Cohen, Leahy urge debate on role

By Stephen Kurkjian
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"Trevor was the man responsible for gathering and guarding secrets vital to America's security.... While the law required him to report to members of the House and Senate Intelligence Oversight Committees, he never went beyond his two rules for dealing with legislators: 'If they didn't ask the right question, they wouldn't get the right answer. And if they asked the right question, they would only get half the right answer.'

– "The Double Man," by William S. Cohen and Gary Hart

WASHINGTON – When he wrote those sentences for his novel on the shadowy world between US intelligence and Washington politics, Sen. William S. Cohen (R-Maine) had only a layman's view of the Central Intelligence Agency. But in the three years that he has been a member of the Senate committee that is responsible for monitoring the agency's operation, he has come to learn there is as much fact in the words as fiction.

Cohen is one of only 33 members of Congress – and probably less than 100 in the entire US government – who are informed of covert CIA operations before they take place. At least, that's what is required by the law that was enacted after disclosures in the mid-1970s that the CIA had participated in a range of illegal activities, from attempts to assassinate foreign leaders to spying on American citizens.

There have been times in past years – most notably the 1983 mining of Nicaraguan harbors and the funding of a handbook that advised rebels on how to "neutralize" Sandinista leaders – that they learned of a secret CIA operation through newspaper reports; such incidents serve to underline the suspicion that the CIA is selective in what information it provides Congress.

While Cohen and his fellow New Englander on the committee, Sen. Patrick V. Leahy (D-Vt.), believe that the CIA has done a better job of late in keeping Congress informed of US covert operations, they voiced a new set of concerns in separate statements last week. In essence, they asked whether the Reagan administration's secret aid to anticommunist insurgencies should be curtailed, or at least be made known publicly so its desirability can be debated by Congress.

"The new reliance on covert military action as a normal instrument of foreign policy – even as a substitute for foreign policy – has strained the current oversight process to the breaking point," Leahy told a meeting of the Association of Former Intelligence Officers.

Echoing Leahy's remarks, Cohen said in an interview on Thursday: "There are no real guidelines."

Although he did not identify which insurgencies were receiving CIA aid, Leahy criticized the Reagan administration's "clear determination" to make greater use of such operations.

Such a policy gives rise to the following question, he said: "Can a democracy like the United States engage in a large-scale, so-called covert paramilitary operation, using our intelligence agencies as instruments in waging proxy wars against the Soviet Union or its clients?" Echoing Leahy's remarks, Cohen said in an interview on Thursday that in many instances the only people who are not told of CIA backing of an anticommunist military campaign are the American public.

"The people we're giving the money to know it's coming from the CIA, and the people they're fighting know it's CIA," Cohen said. "Who do we think we're hiding it from?"

"Deniability"

Intelligence observers have asserted in the past that such secrecy was maintained for two basic reasons: to preserve the agency's "deniability" in case of embarrassing military events and to avoid provoking the Soviet Union into providing its side with further support.

While he acknowledged those arguments, Cohen said they do not outweigh the need for congressional debate on funding of long-term military operations being conducted with US money in foreign countries.

Cohen said he fully supports the need to keep secret "truly undercover, covert operations." But he says they are usually smaller in scope and last less time than paramilitary operations.

"Right now there are no real guidelines for us to go by," he said. "Before too much longer we may have to decide that if it is a paramilitary operation, that we take the debate to another room and open the doors." At present, those doors are shut tight, with a capitol police officer on guard. The House and Senate committees conduct all business in private.

Under the 1980 law that established the present procedure, the president must keep the committees "fully and currently informed" of all US intelligence activities as well as provide notice to the committees before covert operations begin.

While the committees do not have the power to veto a covert operation, "we do have the power of persuasion," Cohen said. "There have been times that an idea spawned in the dead of night has been made to look awfully foolish in the light of day."

Reluctance voiced

Committee members expressed extreme reluctance to provide any specific information about what they discuss in their briefings by the CIA.

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